

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

AltaThera Pharmaceuticals LLC,

Plaintiff,

vs.

Hyloris Pharmaceuticals SA, Academic  
Pharmaceuticals Inc., John C. Somberg, M.D.,

Defendants.

Civil Action No. 1:22-cv-04620  
Honorable Jeremy C. Daniel

**JOINT STIPULATION OF DISMISSAL WITHOUT PREJUDICE**

This Joint Stipulation is entered into by Plaintiff AltaThera Pharmaceuticals LLC (“AltaThera”) and Defendants Hyloris Pharmaceuticals SA, Academic Pharmaceuticals Inc., and John C. Somberg, M.D., (collectively the “Defendants”; and with Plaintiff and Defendants, the “Parties”). Accordingly, the undersigned Parties hereby stipulate and agree as follows:

1. The Parties have entered into an Agreement to Arbitrate and Consolidate Arbitration executed on August 30, 2023 (the “Arbitration Agreement”) pursuant to which all claims that have been brought or could have been brought in this action, as well as in two separate arbitrations, will be settled in a consolidated binding arbitration.

2. Accordingly, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) and in connection with the Arbitration Agreement, the Parties jointly stipulate that this action should be dismissed without prejudice in its entirety.

3. This Joint Stipulation shall not constitute an admission of liability or fault on the part of any of the Parties, and is entered into by the Parties for the sole purpose of resolving their disputes in a consolidated binding arbitration pursuant to the Arbitration Agreement.

4. The Parties agree and acknowledge that this Joint Stipulation has no precedential value and shall not be used as evidence in any pending or future civil or administrative action, or attorneys' fees litigation, against any of the Parties. Further, the Parties agree that this Joint Stipulation was negotiated in good faith. By entering into this Joint Stipulation, the Parties do not waive any claim or defense.

For all of these reasons, the Parties respectfully request that the Court enter an order of dismissal without prejudice.

Respectfully submitted this 11th day of September, 2023.

/s/ Steven J. Horowitz

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